

# United States Patent Application

## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; hat

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **SIMPLE NOISE SUPPRESSION MODEL**

The specification of which

a. X is attached hereto

b.     was filed on                      as application serial no.                      and was amended on                      (if applicable) (in the case of a PCT-filed application) described and claimed in international no.                      filed                      and as amended on                      (if any), which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56 (see the last page attached hereto).

I hereby claim foreign priority benefits under Title 35, United States Code, Sections 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

a. XX no such applications has been filed.

b.     such applications have been filed as follows:

### FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC Section 119

COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

### ALL FOREIGN APPLICATIONS, IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)

COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

I hereby claim the benefit under Title 35, United States Code, Sections 119 and 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)
60/455,435	March 15, 2003	Pending

hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

MICHAEL FARJAMI, Reg. No. 38,135  
 FARSHAD FARJAMI, Reg. No. 41,014

KEITH KIND, Reg. No. 42,735

hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/firm/organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented inless/until I instruct them to the contrary.

Please direct all correspondence in this case to FARJAMI & FARJAMI LLP at the address indicated below:

FARJAMI & FARJAMI LLP  
 26522 La Alameda Avenue, Suite 360  
 Mission Viejo, CA 92691  
 Telephone: (949) 282-1000

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

201	FULL NAME FIRST Name: Yang OF INVENTOR		Middle Initial(s):	LAST Name: Gao	
	City of Residence  Mission Viejo	State or Foreign Country  California		Country of Citizenship  China	
	POST OFFICE ADDRESS 26586 San Torini Road	City Mission Viejo	State or Country California	Zip Code 92692	
202	FULL NAME FIRST Name: OF INVENTOR		Middle Initial(s):	LAST Name:	
	City of Residence	State or Foreign Country		Country of Citizenship	
	POST OFFICE ADDRESS	City	State or Country	Zip Code	
203	FULL NAME FIRST Name: OF INVENTOR		Middle Initial(s):	LAST Name:	
	City of Residence	State or Foreign Country		Country of Citizenship	
	POST OFFICE ADDRESS	City	State or Country	Zip Code	
Signature of Inventor 201 <i>Yang Gao</i>		Signature of Inventor 202		Signature of Inventor 203	
Date <i>Mar. 10, 2004</i>		Date		Date	

**7 C.F.R. Section 1.56 - Duty to disclose information material to patentability.**

A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by Sections 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

Prior art cited in search reports of a foreign patent office in a counterpart application, and

The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or

It refutes, or is inconsistent with, a position the applicant takes in:

Opposing an argument of unpatentability relied on by the Office, or

Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

Each inventor named in the application;

Each attorney or agent who prepares or prosecutes the application; and

Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

RECORDATION FORM COVER SHEET

U.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

PATENTS ONLY

Tab settings ⇌ ⇌ ⇌

To the honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Yang Gao

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other:

Execution Date: March 10, 2004

2. Name and address of receiving party(ies)

Name: Mindspeed Technologies, Inc.

Internal Address: \_\_\_\_\_

Street Address: 4000 MacArthur Blvd., East Tower

City: Newport Beach State: CA Zip: 92660

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: March 10, 2004

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Farshad Farjami, Esq.

Internal Address: Farjami & Farjami LLP

Street Address: 26522 La Alameda Avenue, Ste. 360

City: Mission Viejo State: California Zip: 92691

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41). . . . . \$ 40.00

☐ Enclosed (Payment by Credit Card Form PTO-2038 enclosed)

☒ Authorized to be charged to deposit account

8. Deposit account number:

50-1867

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

Farshad Farjami, Esq.

Name of Person Signing

[Signature]  
Signature

3/11/04  
Date

Total number of pages including cover sheet, attachments, and documents: 3

Mail documents to be recorded with required cover sheet information to:  
Mail Stop Assignment Recordation Services  
Commissioner of Patents, P.O. Box 1450  
Alexandria, VA 22313-1450

## ASSIGNMENT

WHEREAS, I, Yang Gao residing at 26586 San Torini Road, Mission Viejo, CA 92692 have invented certain new and useful improvements disclosed in an application for United States Letters Patent titled Simple Noise Suppression Model, filed herewith;

AND WHEREAS Mindspeed Technologies, Inc., a Delaware corporation (hereinafter, together with any successors, legal representatives or assigns thereof, called "Assignee"), wants to acquire the entire right, title, and interest in and to said improvements and application:

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, I have sold, assigned, transferred and set over, and do hereby sell, assign, transfer and set over to Assignee the entire right, title, and interest in and to said improvements, and said application and all divisions, substitutions, continuations and continuations-in-part thereof, and all United States Letters Patents which may be granted thereon and all reissues and extensions thereof, and all priority rights under the International Convention for the Protection of Industrial Property for every member country, and all applications for patents (including related rights such as utility-model registrations, inventor(s) certificates, and the like), heretofore or hereafter filed for said improvements in any foreign countries, and all patents (including all extensions, renewals, and reissues thereof) granted for said improvements in any foreign countries; and I hereby authorize and request the United States Commissioner of Patents and Trademarks, and any officials of foreign countries whose duty it is to issue patents on applications as aforesaid, to issue all patents for said improvements to Assignee in accordance with the terms of this assignment;

AND I HEREBY covenant that I have full right to convey the entire interest herein assigned, and that I have not executed, and will not execute, any agreement in conflict herewith;

AND I HEREBY further covenant and agree that I will communicate to Assignee any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuation, continuations-in-part, substitute and reissue applications, make all rightful oaths, and generally do everything possible to aid Assignee to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand this 10 day of Mar., 2004

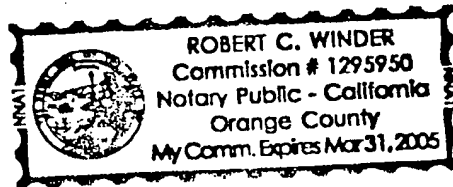
Yang Gao  
Yang Gao

STATE OF CALIFORNIA )  
 )  
COUNTY OF Orange ) ss.

On March 10, 2004, before the undersigned, a Notary Public for the State and County aforesaid, personally appeared Yang Gao, known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the above assignment, and acknowledged that he/~~she~~ executed the same in his/~~her~~ authorized capacity, and that by his/~~her~~ signature on the above assignment the person, or the entity upon behalf of which the person acted, executed the assignment.

WITNESS my hand and official seal.

Signature Robert C. Winder



***Receipt is acknowledged of:***

Patent Application  
for "Simple Noise Suppression Model";  
Patent Application Cover Sheet (2 pages); Assignment  
Recordation Cover Sheet and Assignment (3 pages);  
Combined Declaration and Power of Attorney (3 pages);  
Patent Application (23 pages); Five (5) Sheets of Drawings

Client: Mindspeed Technologies, Inc.

Inventor: Yang Gao

Serial No.:

Filing Date:

Atty: FF

Express Mailed: March 11, 2004

Attorney Docket No.: 0160114

Client Docket No.: 03M0011/US

DOCKETED

MAR 22 2004

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15439 U.S. PTO  
10/799505



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# PATENT APPLICATION COVER SHEET

COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450



**25700**

PATENT TRADEMARK OFFICE

Sir/Madam:

Transmitted herewith is the patent application of:

Inventor(s): Yang Gao

For: "Simple Noise Suppression Model"

☐ This application is a ☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_.

Enclosed are:

- ☒ Five (5) Sheets of drawings
- ☐ Request for Non-Publication (Form PTO/SB/35 (11-00))
- ☒ An assignment of the invention to Mindspeed Technologies, Inc.
- ☒ The enclosed payment includes \$40.00 for the recording of the assignment
- ☐ Applicant(s) claim(s) small entity status
- ☐ Information Disclosure Statement
- ☐ Preliminary Amendment
- ☒ Declaration and Power of Attorney
- ☒ The filing fee has been calculated as shown below:

	(Col. 1)	(Col. 2)
FOR:	No. Filed	No. Extra
BASIC FEE		
TOTAL CLAIMS	12 -20 =	0
INDEPENDENT CLAIMS	3 -3 =	0
MULTIPLE DEPENDENT CLAIMS PRESENTED		

If the difference in Col. 1 is less than zero,  
enter "0" in Col. 2

SMALL ENTITY	
RATE	FEE
	\$385.00
x 9 =	\$
x 43 =	\$
+ 145 =	\$
TOTAL	\$

OTHER THAN A SMALL ENTITY	
RATE	FEE
	\$770.00
x 18 =	\$0.00
x 86 =	\$0.00
+ 290 =	\$
TOTAL	\$770.00



- ☐ Enclosed is a payment in the amount of \$ \_\_\_\_\_ by credit card (Form PTO-2038 attached).
- ☒ Please charge Deposit Account No. 50-1867 in the amount of \$ 810.00.
- ☒ The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication, or credit any overpayment to Deposit Account No. 50-1867. A duplicate copy of this sheet is enclosed.

FARSHAD FARJAMI, ESQ.

Date: 3/11/04



25700

PATENT TRADEMARK OFFICE

Farshad Farjami, Esq.  
FARJAMI & FARJAMI LLP  
26522 La Alameda Ave., Suite 360  
Mission Viejo, CA 92691  
(949) 282-1000

Reg. No.: 41,014

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Date of Deposit 3/11/04

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

(Signature)

Lori Lapidario

Lori Lapidario

(Typed or Printed Name of Person Mailing Paper or Fee)



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Yang Gao  
Serial No.: 10/799,505  
Filed: March 11, 2004  
Title: Simple Noise Suppression Model

Declaration in Support of Petition under 37 CFR § 1.53(e)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir/Madam:

I, Farshad Farjami, declare as follows:

1. I am a partner at the law firm of Farjami & Farjami LLP, a member of the State Bar of California, and a Registered Patent Attorney.

2. I declare that the enclosed copies of the above-referenced patent application (including 23 pages of written description, claims and abstract, and 5 sheets of drawings), declaration/power of attorney, assignment, certificate of express mailing, express mail receipt, and return postcard from the USPTO are true and accurate copies.

3. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine of imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-referenced patent application or any patent issuing thereon.

Date

9/28/04

Farshad Farjami

